

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America
v.
Rachael Jasso
SSN: XXX-XX-5309; YOB 1981

Case No.
23-MJ-1095

Defendant(s)

**AMENDED
CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Feb. 3, 2023- Feb.16, 2023 in the county of Bernalillo in the
 District of New Mexico, the defendant(s) violated:

Code Section

18 U.S.C. §§ 922(a)(1)(A) and 2
18 U.S.C. §§ 922(o) and 2

Offense Description

Dealing firearms without a license; aiding and abetting
Unlawful transfer/possession of a machine gun; aiding and abetting

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Katie M. Stamper - ATF Special Agent

Printed name and title

Electronically submitted and telephonically sworn before me.

Date: 07/11/2023

City and state: Albuquerque, New Mexico

Judge's signature

United States Magistrate Judge

Printed name and title

KAREN B. MOLZEN

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Joe Jasso SSN: 2541

1. I, Katie M. Stamper, a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, depose and state:
2. I am a Special Agent with ATF. I have been employed with ATF since March of 2020. I am an investigative, or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), in that I am an officer of the United States who is empowered by law to conduct investigations and make arrests for the offenses enumerated in Titles 18, 21, and 26 of the United States Code.
3. Through the ATF, I have received specialized training in the enforcement of federal firearms, explosives, and arson laws. My training as an ATF Special Agent includes but is not limited to: (1) the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the purchase, possession, distribution, and transportation of firearms and of the laundering and concealment of proceeds of firearms and drug trafficking; (2) surveillance; (3) analysis and processing of documentary, electronic, and physical evidence; (4) the legal and illegal purchase of firearms; and (5) the execution of arrest and search warrants seeking firearms, narcotics, and DNA.
4. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. During the month of December 2022, an Instagram user (later identified as Joe Jasso) was identified by the ATF as possibly being in possession of and selling illegal machine gun conversion devices (MCDs), which modify firearms to make them fire fully automatic. The ATF observed that Joe Jasso was using Instagram to advertise these products and converse with prospective buyers. Joe Jasso was easily recognized in his posts for the distinctive tattoo on his hand, which depicted skeleton bones. In January 2023, the account was deleted.
6. A new Instagram account was identified by the ATF in January 2023, which appeared to belong to the same user based on the same skeleton hand tattoos being visible on posts on the account.
7. On February 3, 2023, Undercover (UC) Albuquerque Police Department (APD) Detective #5654 made contact with the account. Between the dates of February 3-7, 2023, a series of conversations took place that ultimately led to two controlled purchases of illegal devices from Joe Jasso and Rachael Jasso.
8. On February 3, 2023, after observing a picture of a firearm on the Instagram account, the UC made contact through Instagram and the following conversation occurred:

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UC: "Wat up with the Draco fam." (referring to the type of firearm posted, which was a Draco)

Joe Jasso: "Wouldn't sell it. But. I got another 7.62 for sale rn [right now]" (referring to a 7.62 caliber firearm.

....

UC: "I be trying to get a full auto."

Joe Jasso: "I can get a fully auto AR ["AR" refers to an AR-15 style rifle] for cheap tho. I 3D print the sears. They jus drop into the back of the rifles."

UC: "How cheap fam. I down with that."

Joe Jasso: "If you have a AR the sear only like \$100. I can sell you a sear for an AR for 60 tho."

9. A "sear" is a term used to describe a device, similar to an MCD or what is often called a "Glock Switch," that will allow a firearm to fire fully automatic.
10. On February 6, 2023, the UC messaged Joe Jasso on Instagram and stated, "Fam u still got that ar sear for 60." He responded, "Ya. Wya [where you at]. We can test it if you bring your AR back."
11. On February 7, 2023, the UC contacted Joe Jasso and asked, "Fam u got G switches" [referring to Glock Switches], and he responded, "\$500 on metal" [meaning \$500 for a metal switch].
12. On February 7, 2023, Joe Jasso agreed to meet the UC at Kiva Park located at 3107 Cuervo Dr. NE, Albuquerque, NM 87110. The UC was to purchase a Glock Switch for \$500 and an AR auto sear for \$60. Upon arriving at the park, the UC asked what vehicle Joe Jasso would be driving, and he stated they would be in a Black Armada.
13. On the same date, a Black Armada was identified in the area of Kiva Park by law enforcement officers. The plate located on the Black Nissan Armada was NM 241WWN. The registration was run through the National Crime Information Center (NCIC) and returned to a Rachael Marie Jasso, located at 3125 Ortiz Dr NE, Albuquerque, NM 87110 (Jasso residence). As described below, it was later confirmed that Rachael Jasso was the female driving the Black Armada and the male passenger was identified as Joe Jasso, who was the same male behind the two Instagram accounts. Rachael Jasso is the mother of Joe Jasso.

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14. The UC made contact with the Black Armada where Joe Jasso was the passenger in the front seat, with Rachael Jasso driving, and at least three other passengers. When the UC walked up to the passenger side window, Joe Jasso already had a Glock firearm disassembled and three pieces of silver metal in his hand. The UC confirmed Joe Jasso as the user behind the two Instagram accounts because he had the tattoo of skeleton bones on his hand, consistent with the postings on the Instagram profiles. Joe Jasso immediately started to explain to the UC how to install the switch onto a firearm. The UC asked Joe Jasso whether installing the Glock Switch onto the UC's firearm would allow it to shoot fully automatic and Joe Jasso confirmed that it would. Rachael Jasso stated that if the UC had any trouble installing the Glock Switch to call Joe Jasso. The UC asked where the AR sear was and Joe Jasso stated he could get it in about an hour. During this exchange, Joe Jasso asked one of the juvenile passengers if there were any sears at the house. The juvenile male passenger indicated there were sears at the home. The UC then asked why the Glock Switch was so expensive and Joe Jasso replied they are expensive because he can't make the metal ones. The UC then questioned, "I thought you were making these [referring to the metal switch]?" And Joe Jasso responded that he could not make the metal ones, but he was making the AR sears.
15. APD and ATF conducted surveillance of the vehicle leaving Kiva Park following the controlled purchase with the UC. Law enforcement officers followed the vehicle back to the Jasso residence, which was the same address as the vehicle registration.
16. After the Jassos departed the park, Joe Jasso contacted the UC several times stating "Wait here. He has one at the crib give me like 3 minutes. He said he has one stashed at the crib" [referring to the AR sear he agreed to sell the UC]. Joe Jasso attempted to make contact with the UC several more times about the AR Sear. When the UC finally responded, Joe Jasso stated, "You want one or two. Of the AR ones." The UC agreed to purchase one sear and told Joe Jasso to meet at Buffalo Wild Wings located at 1700 Towne Center Ln., Albuquerque, NM 87106. Joe Jasso stated, "I have 3 more on me [referring to AR sears]. If you want em." The UC responded, "I don't got the cash fam." Then Joe Jasso stated, "Ill have em just lmk [let me know] brotha."
17. Law enforcement officers continued surveillance and the same Black Nissan Armada arrived at Buffalo Wild Wings and made contact with the UC. Joe Jasso and Rachael Jasso were again both present in the Armada. Joe Jasso handed the black AR sear to the UC. The UC asked how it worked, and Joe Jasso indicated that he would send the UC a video. The UC asked Joe Jasso if he could get five to six more AR sears, and how much time would he need. Joe Jasso and Rachael Jasso both shook their heads affirmatively and confirmed that they could make more, and it would take a few days.
18. On February 16, 2023, I, along with other federal law enforcement agents and local law enforcement, executed a search warrant at 3125 Ortiz Dr NE, Albuquerque, NM 87110. Inside the home, we located the following: approximately ten firearms; five machine gun

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conversation devices (MCDs); a large amount of ammunition; numerous ammunition magazines (both loaded and unloaded); and a 3D printer. These the items (to include the firearms, ammunition, MCDs, 3D printer and magazines) were located throughout the residence.

19. Both Joe and Rachael Jasso were present at the time of the search. Law enforcement spoke with Joe Jasso. He was provided with his rights pursuant to *Miranda*. He acknowledged understanding his rights and agreed to waive his rights and speak with law enforcement. Joe Jasso admitted that he uses Instagram to sell switches and acknowledged that at least one of the firearms in the home belonged to him. He also acknowledged that specific firearm had a switch on it but claimed that the switch was not his. He admitted, however, that he puts switches on and off firearms when he sells them (the switches).
20. Based off my training and experience, I know MCDs are fully automatic sears that allow firearms to be modified into machine guns. It is possible to use a 3D printer to print sears that can be placed internally into firearms so this modification can be made. I also know that Glock switches are devices that are externally added to handguns to allow them to fire fully automatic. The manufacturing, selling, or possessing of these items without proper licensing is prohibited by federal law.
21. I have searched the ATF's Federal Firearms License (FFL) database for a license connect with either Joe Jasso or Rachael Jasso. Certain classifications of FFLs would give the holder the legal authority to possess a machinegun. These types of FFLs are typically restricted to manufacturing and selling machine guns for law enforcement and military uses. Joe and Rachael Jasso do not have an FFL and are not listed as a "responsible party" on any FFL, nor does anyone at the Jasso residence appear to have an FFL. I also queried in the National Firearms Registry and Transfer Records (NFRTR) to determine if the Jassos possessed any lawfully registered devices under the National Firearms Act of 1934. I determined that the Jassos have no registered devices. There does not appear to be any lawful reason why either Joe or Rachael Jasso would be allowed to be in possession of a fully automatic weapon.
22. I also know that between July 2020 and February 2023, thirteen firearms purchased by Rachael Jasso have been recovered by law enforcement during various criminal investigations. The shortest time from Rachael Jasso purchasing a firearm and it being recovered in the hands of someone else by law enforcement was twenty-two days. I queried Rachael Jasso for a possible criminal history and determined that Rachael Jasso has a pending case for robbery in case number D-202-PD-2023-00530 out of the Second Judicial District Court, State of New Mexico.
23. I queried Joe Jasso for a possible criminal history and determined that he also has a pending case for robbery and aggravated assault with a deadly weapon in case number D-202-CR-2023-01538 out of the Second Judicial District Court, State of New Mexico.

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24. Based upon these facts, I believe that there is probable cause to believe that Joe Jasso (YOB 2003) and Rachael Jasso (YOB 1981) have committed offenses involving violations of 18 U.S.C. § 922(a)(1)(A), engaging in the business of dealing in firearms without a license and 18 U.S.C. § 2, aiding and abetting; and 18 U.S.C. § 922(o), illegal possession of a machine gun, and 18 U.S.C. § 2, aiding and abetting.
25. This warrant was reviewed and approved by Assistant United States Attorney Samuel Hurtado.

Respectfully submitted,



Katie M. Stamper
Special Agent
ATF

Subscribed and sworn to me by reliable electronic means,
on July 11, 2023:



HONORABLE KAREN B. MOLZEN
UNITED STATES MAGISTRATE JUDGE